

Minutes

Santee City Council Community Development Commission Santee Public Financing Authority

**Council Chambers
10601 Magnolia Avenue
Santee, California**

May 14, 2008

This Regular Meeting of the Santee City Council, Community Development Commission and the Santee Public Financing Authority was called to order by Mayor/Chairperson/Chair Randy Voepel at 7:04 p.m.

Council Members present were: Mayor/Chairperson/Chair Randy Voepel, Council/Commission/Authority Members Jack E. Dale, Brian Jones and John W. Minto. Vice Mayor/Vice Chairperson/Vice Chair Hal Ryan was absent.

City Manager/Executive Director/Secretary Keith Till, City/Commission/Authority Attorney Shawn Hagerty, Deputy City Manager/Director of Development Services Gary Halbert, Finance Director/Treasurer Tim McDermott, Director of Fire and Life Safety Mike Rottenberg, Director of Community Services John Coates, Director of Human Resources Jodene Dunphy, Assistant to the City Manager Kathy Valverde, Assistant to the Executive Director Pamela White, City Engineer Steve Cresswell, City Planner Melanie Kush, Santee Sheriff's Captain Patricia Duke, City Clerk/Commission Secretary Linda Troyan, and Deputy City Clerk/Deputy Commission Secretary Patsy Bell.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, City Attorney, City Clerk and Deputy City Clerk shall be used to indicate Mayor/Chairperson/Chair, Vice Mayor/Vice Chairperson/Vice Chair, Council/Commission/Authority Member, City Manager/Executive Director/Secretary, City/Commission/Authority Attorney, City Clerk/Commission Secretary, Deputy City Clerk/ Deputy Commission Secretary.)

INVOCATION: **Imam Taha Hassane, Islamic Center of San Diego**

PLEDGE OF ALLEGIANCE: **Boy Scout Troop 148**

PROCLAMATION: **NATIONAL PUBLIC WORKS WEEK – MAY 18 – 24, 2008**

Mayor Voepel presented the Proclamation to City Engineer Steve Cresswell and Public Services Manager Bob Stein.

PROCLAMATION: PATHWAYS COMMUNITY CHURCH DAY – MAY 15, 2008

Council Member Jones presented the Proclamation to Outreach Pastor Jeff Atkins. Council Member Jones explained that on April 27th, instead of going to church for Sunday services, 550 church members and volunteers conducted a cleanup project in the Atlas View neighborhood and the Forester Creek public walkway and drainage facilities. Pictures of the cleanup project were shown.

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:

Mayor Voepel requested Item 9(A) be reordered to be heard concurrently with Item 6(B). Council Member Jones registered a no vote on Item 1(D).

1. CONSENT CALENDAR:

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.
- (B) Approval of Meeting Minutes:
 - Santee City Council 4-23-08 Regular Meeting
 - Community Development Commission 4-23-08 Regular Meeting
 - Santee Public Financing Authority 4-23-08 Regular Meeting
- (C) Approval of Payment of Demands as Presented.
- (D) Second Reading and Adoption of an Ordinance of the City Council of the City of Santee, California, Amending Chapter 16.26 of the Santee Municipal Code Relating to Development Impact Fees. (Continued from 4/23/08) (Relates to 2A) (ORD 479)
- (E) Approval of the Expenditure of \$89,544.36 to Pay for April 2008 Legal Services and Related Costs.
- (F) Reject Claims against the City by Valerie Anaya, Linda Anaya, Anna Hurtado and Leonard Strausbaugh.
- (G) Approval of a Purchase Order with Kepner Plastics in an Amount Not to Exceed \$60,000 for Furnishing a Debris Collection Fence for Forester Creek Improvements.
- (H) Approval of a Contract Change Order in the Amount of \$85,000 for Additional Construction Management Services by PBS&J for Forester Creek Improvements.

- (I) **Adoption of a Resolution Approving the Fiscal Year 2008-09 Annual Action Plan and Authorizing the City Manager to Submit a Grant Application for Community Development Block Grant (CDBG) Funds. (Reso 25-2008)**
- (J) **Adoption of a Resolution Authorizing Submittal of a Grant Application to the California Integrated Waste Management Board. (Reso 26-2008)**

ACTION: On motion of Council Member Minto, seconded by Council Member Jones, the Agenda and Consent Calendar were approved as amended with all voting aye, except Council Member Jones who registered a no vote on Item 1(D) and Vice Mayor Ryan who was absent.

2. PUBLIC HEARINGS:

- (A) **Continued Public Hearing to Adopt a Resolution Establishing the Fee Rate for the Regional Transportation Congestion Improvement Program (RTCIP) Mitigation Fee and Adjusting the Traffic Mitigation Fee Rate for Single and Multi-Family Residential Pursuant to Section 16.26.050 of the Santee Municipal Code. (Cont. from 4/23/08) (Relates to 1D) (Reso 27-2008)**

The Public Hearing opened at 7:17 p.m.

Public Speakers: None

ACTION: On motion of Council Member Dale, seconded by Council Member Minto the Public Hearing was closed at 7:18 p.m.; the Resolution was found to be exempt from the provisions of CEQA; and the Resolution adopting the Regional Transportation Congestion Improvement Program Mitigation Fee and adjusting the Traffic Mitigation Fee Rate for Single and Multi-Family Residential was adopted with all voting aye, except Council Member Jones who voted no and Vice Mayor Ryan who was absent.

- (B) **Public Hearing Approving the Engineer's Report, the FY 2007-08 Annexation and Setting of Assessment Rates for the Riverview Development (TM05-04) to the Town Center Landscape Maintenance District. (Reso 28-2008 & 29-2008)**

The Public Hearing opened at 7:19 p.m. Director of Finance McDermott presented a brief staff report.

Public Speakers: None

ACTION: It was moved by Council Member Minto and seconded by Council Member Jones to adopt the Resolution approving the Engineer's Report and close the Public Hearing portion of the item. By Council consensus, the motion was approved with all voting aye, except Vice Mayor Ryan who was absent.

City Clerk Troyan announced two ballots were mailed to the property owners of record. They were completed and returned in compliance with the procedures governing the ballot proceeding. The ballots represent 100% of the proportionate financial obligation, and they indicated support for the landscape maintenance assessment. Consequently, there was not a majority protest against the proposed assessment.

ACTION: On motion of Council Member Minto, seconded by Council Member Jones, the Resolution declaring the assessment ballot results confirming the assessment diagram and levy was adopted with all voting aye, except Vice Mayor Ryan who was absent.

3. **ORDINANCES (First Reading):** None

4. **CITY COUNCIL REPORTS:** None

5. **CONTINUED BUSINESS:** None

6. **NEW BUSINESS:**

(A) **Five Year Agreement with San Diego County Sheriff's Department for Law Enforcement Services.**

City Manager Till presented the staff report and answered Council's questions.

ACTION: On motion of Council Member Minto, seconded by Council Member Jones, the agreement with the County of San Diego Sheriff's Department for general and specialized law enforcement services through Fiscal Year 2011-2012 was approved with all voting aye, except Vice Mayor Ryan who was absent.

The following two items were heard concurrently:

6. NEW BUSINESS:

- (B) Resolution Awarding the Construction Contract to Western Rim Constructors for Town Center Community Park Phase 2 (CIP 2006-33) and Authorization of Expenditures for Construction Activities. (Relates to 9A)**

9. COMMUNITY DEVELOPMENT COMMISSION:

- (A) Appropriation of Funds to Assist in the Financing of Public Improvements at Town Center Community Park. (Relates to 6B)**

Deputy City Manager/Director of Development Services informed Council that staff has changed its recommendation to: Reject all bids and direct staff to re-bid the project.

At the bid opening, the apparent low bidder was determined to be USS Cal Builders. A letter of protest was received from Western Rim identifying deficiencies in USS Cal Builders' bid package. On Wednesday afternoon, May 14th, a letter was received from USS Cal Builders' counsel protesting Western Rim's bid and identified deficiencies. Staff determined that it would be in the City's best interest to reject all bids and send the project out for bid again.

Public Speakers:

1. Jason Thornton, legal counsel for Western Rim Constructors, Inc., asked Council to declare Western Rim's deficiencies as waivable irregularities and award the bid to Western Rim.
2. Jeff Hines, a subcontractor for Western Rim Constructors, Inc, requested Council award the bid to Western Rim.

ACTION: On motion of Council Member Minto, seconded by Council Member Dale, all bids were rejected and staff directed to put the project out for re-bid, except Vice Mayor Ryan who was absent.

7. COMMUNICATION FROM THE PUBLIC:

- (A) Pattie Bommer** requested Council look into providing a Santee senior center.
- (B) Aurelia Thersen** requested Council support for a senior center in Santee.
- (C) Joe Reilly** spoke in support of having either a Senior Center in Santee or support in obtaining a location for seniors to continue receiving the meals provided by the Salvation Army.

With Council concurrence, staff was directed to contact the County to see if the food program

could be extended at Edgemoor through December, as it was extended for the Santee Food Bank. Staff was also directed to look into different possibilities and to bring this item to Council in one month.

- (D) [Elaine Murphy](#) thanked John Coates for his support in getting the Granite House wall built at the Public Services Maintenance Facility and the plaque dedicating the wall which was made from bricks from the 1933 Granite House.

8. CITY MANAGER REPORTS: None

9. COMMUNITY DEVELOPMENT COMMISSION:
(Note: Minutes appear as Item 1B)

- (A) This item was reordered to be heard concurrently with item 6(B).

10. SANTEE PUBLIC FINANCING AUTHORITY:
(Note: Minutes appear as Item 1B)

11. CITY ATTORNEY REPORTS:

City Attorney Hagerty noted that a rent control court case had been won.

12. CLOSED SESSION: None

13. [ADJOURNMENT:](#)

There being no further business, the meeting was adjourned at 8:17 p.m.

Date Approved: May 28, 2008

/s/Linda A. Troyan
Linda Troyan, City Clerk/Commission Secretary
and for Authority Secretary Keith Till